

Ascites	in 1 case.
Bloody fluid in alimentary canal	" 2 "
Alimentary canal generally healthy	" 6 "
Liver and kidneys healthy	" 1 "
" enlarged and buff-coloured	" 3 "
" cells very fatty	" 3 "
" firm	" 1 "
Spleen enlarged	" 1 "
Tubuli of kidney very fatty	" 3 "
Fatty infiltration of every tissue examined	" 1 "

The similarity in the symptoms of the two affections is, I should judge, rather more marked than in the post-mortem appearances. In both there may be vomiting, either of an hemorrhagic character or not; there may be pain at the epigastrium, restlessness and irritability, rigors, jaundice, tympanitis, retention of urine, delirium, somnolence, convulsions, and coma. After death there may be found, in both, extravasations of blood in various tissues and organs, blood liquid and dark-coloured, bloody fluid in alimentary canal, fatty degeneration of the liver and kidneys, and ascites (generally slight). But, so far as my observations or reading of descriptions have extended, the gross appearances of the liver are very unlike. It is not so limp and shrunken and atrophied, nor has it the peculiar rhubarb-like colour (in many parts), in cases of poisoning by phosphorus, that it has in acute atrophy.

ART. V.—*Delusion Considered as a Test of Insanity.* By I. RAY, M. D.

ON the trial of Hadfield, eight and sixty years ago, for shooting at the king, his counsel, Mr. Erskine, laid down the doctrine that delusion is that quality of insanity which renders a person irresponsible for his acts. Though never established by any judicial decision, yet announced as it was by the acknowledged leader of the English bar, in a case that appeared, by universal consent, to justify its correctness, it has, undoubtedly, exerted an influence on judicial opinions, and may be considered as the first considerable innovation upon the rules of the common law respecting insanity in connection with crime. For nearly half a century, its correctness as a rule of law went unchallenged in any British or American court of justice; but correct as it seemed, abstractly considered, it frequently proved unsuitable for practical application, owing to some uncertainty as to the true meaning of the trait in question. Many attempts have been made to remedy the deficiency, but being suggested rather by metaphysical speculation than the results of actual experience, they invariably failed to meet the requirements of the particular case in hand.

One writer defines delusion to be "the belief of facts which no sane man would believe." Another defines it to be "a belief in something extravagant, having no existence whatever, and out of which the person cannot be reasoned by any conceivable degree of evidence." Another says, "delusion is a belief of facts which no rational reason would have believed." According to these definitions, Columbus must have been labouring under a delusion in thinking he should discover a new world, for such a belief was certainly extravagant—one which the rational men of his day rejected, but which he could not be reasoned out of. Many a worthy man entertains political or religious opinions which, to some of his neighbours, seem to be the height of folly; and holds them too with a strength of conviction that no evidence can impair. In these definitions, it will be observed, the very point to be proved is assumed. To say that a certain belief is a delusion because no sane man would entertain it is just a begging of the question. Another says a delusion is a belief in something impossible. But who is to decide what is impossible? who can decide it? What is impossible to one man is possible to another. Belief in something which is impossible in the nature of things is, unquestionably, a delusion, but every delusion is not a belief in something clearly impossible. Many a delusion consists in believing, not something impossible, but something without any objective foundation. A man believes that he has fifty thousand dollars on deposit in a certain bank; but although a bank deposit is not an impossible thing, yet, as this person never had a deposit in any bank, having always been little better than a pauper, such a notion, is nevertheless, a delusion. So, although a delusion may be defined very justly to be a belief in something impossible, it must be understood that the impossibility may be, not in the nature of things, but in the circumstances of the case. With this qualification the definition may be found applicable in practice, with fewer exceptions than any other. Of course, instances will occasionally occur, where it is questionable whether the circumstances are such as to render the thing believed in impossible, which only shows that psychological definitions are not quite so clear and precise as those of geometry and algebra.

The current philosophy respecting the nature of belief has not led to very clear conceptions on this subject. The tendency is to depreciate every other element of belief as compared with that of the evidence of the senses. To a great extent human belief must rest on that foundation, but much of the belief which determines the opinions and conduct of men springs from the prevalent philosophy, from tradition, from the force of imitation, from superstition, fancy or fashion, from a nervous temperament, and mental eccentricities. Daily experience shows that under the influence of such causes, no belief is too absurd and groundless, even for cultivated minds. The history of human progress in its various phases shows that the accredited belief of one age becomes an indication of

insanity in the next, and the psychological student who extends his observations beyond himself into the highways and byeways of society—into the purlieus of vice and the wards of the insane hospital—wherever the normal activities of the mind have been disturbed by the deteriorating influence of an unhealthy hygiene, of bad blood, of education in vice, of indulgence in drink, continued through several generations, will find at every turn how closely the domains of sanity and insanity lie to each other.

In order to determine whether a certain belief is a veritable delusion, or only the mistake of a sane mind, it may be necessary to scrutinize the psychological character and experience of the individual who entertains it. Such a scrutiny may show that what seemed to be the offspring of disease—what would have been unequivocal delusion, under different circumstances—was only a mistake of ignorance, a sottish superstition, a freak of eccentricity, or the suggestion of a peculiar temperament. A single instance will sufficiently illustrate the significance of these remarks.

In litigated cases of insanity where delusion is alleged, the medical witness seldom escapes being asked if he thinks Martin Luther was insane for having believed that he was sometimes visited by the devil in person, and that on one occasion he hurled his ink-horn at him and drove him out of the room. This the lawyers regard as an admirable dilemma, on either horn of which the expert will find an uncomfortable seat. If he says no, the answer conflicts with some definition of delusion which he has already given, and if he says yes, it is equivalent to stultifying himself. Thus the counsel achieves an easy victory over the expert, who, while perfectly aware of his awkward predicament, is sorely puzzled how to account for it, for his opponent's facts are all correct and his conclusions logically drawn.

Of course, the scenes related by Luther were all a figment of the brain, but, at the worst, it was only a hallucination, not a delusion. They differ from each other in this respect, that the false belief implied in the former is connected with impressions made on one or more of the senses, and does not necessarily prove, as the latter does, any derangement of the understanding. When a man declares that he hears a voice speaking to him from the ceiling of his room, and persists in the belief, he is certainly insane; but if he recognizes and admits his mistake, it is only a casual and temporary derangement of the senses, which cannot, in any proper use of language, be called insanity. Now admitting that Luther persisted to the last in believing that there was no optical deception in the case, and that the devil, hoof, horns, and all, actually entered the room where he was writing, the proof is not complete that this belief was equivalent to a delusion. A close inspection of it shows that it was only a mistake arising from certain peculiarities of opinion, temperament, and cerebral activity, and wanting the indispensable element of morbid action. It was, certainly, no delusion to believe in the personality of the devil. It has been the doctrine of the church in all ages, and men have been fond of representing

him as going about like a roaring lion seeking whom he may devour. Stories of his bodily appearance among men have always been current, and credited by the ignorant and vulgar, if not the cultivated and refined. His visits have not been confined to members of this or that church, nor has his reception differed with their modes of faith. While the reformer salutes him with his familiar weapon—that weapon by which he spreads consternation among his foes—St. Dunstan tweaks his nose with a pair of red-hot tongs. Indeed, in the middle ages, the devil's doings on earth was a favourite theme of the clergy, whereby they hoped to terrify the sinner and strengthen his sense of dependence on them. Legends of his pranks were rehearsed at every fireside and social gathering, and no philosophic doubts arose to weaken the intensity of this belief. Then as now he was regarded as at the bottom of all the mischief in the world, the only difference being that while it is with us, generally, a merely speculative belief, like that of an old superstition which reason discards but which maintains its hold on the mind by the force of early impressions, it was with the people of those times a real, active, earnest belief verified by many a man's personal experience. From a belief in his personal existence and his license to do mischief, to that of his personal bodily presence among men, was but a step. Considering the power with which he was endowed and the great purposes that might be fulfilled by an actual visitation, its possibility could hardly be questioned. That Luther should have so believed, there were peculiar reasons over and above those of a general nature. Though an energetic reformer, he was no philosopher like Erasmus, and therefore was quite satisfied with the popular belief of his day. He never doubted that in the great contest on which he had entered, the powers both of earth and hell were arrayed against him, and the pope and his priests were not more clearly discerned in the opposing ranks than the devil and his angels. Thus far, certainly, there was no delusion. He believed no more than everybody else believed. If there was any delusion at all in the case, it consisted in going one step farther—in realizing his theoretical belief. He thought he saw the devil with his bodily eye, and felt his hot breath upon his cheeks. But this was not necessarily a delusion. It might have been merely a strong impression received in a moment of cerebral excitement when the nervous susceptibility was sharpened by earnest meditation, by a glow of enthusiasm not many steps removed from the grossest fanaticism, and by a well-grounded assurance that his foes would leave no stone unturned to effect his ruin. Under such circumstances, the inward readily becomes the outward; the intense conception takes on a bodily form; in one word, to use a metaphysical phrase, the subjective becomes the objective. That such was actually the fact in Luther's case is rendered still more probable by other incidents in his psychological experience. He complained that the devil lay by his side when in bed at night, and caused him more annoyance than his beloved Catharine caused him

joy. Not only that, but the devil would keep him awake disputing on religious subjects, and these disputes he reported in full. This phenomenon is admirably illustrated by Shakspeare, in the case of Macbeth, who saw a dagger in the air with its handle turned towards him. Indeed, most persons, I apprehend, can call to mind something of a similar kind in their own experience, and many remarkable stories may be found in the books. Nobody ever regarded Macbeth as insane, and yet, psychologically considered, Luther's case was precisely similar.

It may be objected that as Luther never recognized the true nature of the apparition, and fully admitted that he was deceived, therefore, according to present definitions, he must be regarded as insane. The objection is well taken, but a careful examination of it will enable us, I doubt not, to remove the difficulties which it implies. It has been just explained how the deception arose, that is, in consequence of a conjunction of circumstances not incompatible with entire soundness of mind. That Luther did not so understand the matter only shows that he was no philosopher, as I have already remarked, and that to his apprehension, the incidents in question were within the line of natural occurrences. To believe in the reality of a hallucination necessarily implies delusion and insanity only when it refers to something impossible either in the nature of things or the circumstances of the case. One who believes his legs are made of glass or that his head has got turned round, is insane and nothing less. He does not even pretend to give a reason for his belief. It is so, and he *knows* it is so. On the other hand, if the thing believed is not thus impossible, it may indicate only an error of opinion which the person shares in common with others of undoubted sanity. Thus the two elements of Luther's belief are easily accounted for without resorting to the theory of insanity. The apparition itself was the result of certain cerebral conditions of a casual, transient nature; and, secondly, the persistent conviction of its reality was consistent with the common belief.

The world has always been willing to admit that supernatural occurrences are within the limits of possibility, and that they have actually taken place. How they are to be distinguished from those which, while they appear to be such, at first sight, are, in fact, the offspring of cerebral disturbance, is a question not easily answered. As yet there is scarcely the beginning of an approach to unanimity of opinion respecting it. In practice, it has been generally decided rather by favourite habits of thinking than by any fixed rules of philosophizing. The celebrated vision of Colonel Gardiner, in which he saw the Lord Jesus Christ on a cross, and heard him reproach him for his crimes, is described by his pious biographer, Dr. Doddridge, as sent by God. Few, I imagine, would attribute to such an origin the vision of Lord Herbert, who, while hesitating to publish a book he had just completed against the Christian religion, made a formal appeal to the Deity, praying that he might be directed by some celestial sign, whether he should

or should not print it, and received a favourable response in an audible voice from the heavens.

We know very well that hallucinations have been exhibited by men of great mental endowments and activity, as an insulated fact having little or no connection with the ordinary mental movements. Dr. Johnson, while walking in the street, thought he heard the voice of his mother, then many miles away, calling to him, "Sam, Sam." Cromwell was fond of relating, in the days of his power, that, while a lad at school, a female of gigantic height entered his room and announced to him his future greatness. Lord Castlereagh, while visiting a friend, in early life, saw at night, before going to sleep, the vision of a radiant child with a glory encircling his head. Again, he saw it many years afterwards in the House of Commons. Bernadotte, the King of Sweden, while riding in the country, was met by a dishevelled, witch-like old woman, who warned him not to engage in an enterprise he was meditating. Napoleon was once found by one of his generals, in his cabinet, so abstracted and self-absorbed, that the latter thought he must be ill. The Emperor seeing him, at last, told him to look up. "Do you not see her?" said he; "she is before you, bright and brilliant. She has never abandoned me. I have seen her on every great occasion. She tells me to go on, and she is always the sign of good fortune." Sir Joshua Reynolds, after being engaged many hours in painting, and then walking in the streets, said that the lamp-posts seemed to him to be trees and the men and women moving shrubs. Silvio Pellico had hallucinations in prison. He heard groans and stifled laughs. It seemed to him that while sitting at the table some one plucked him by his coat, and attempted to blow out his light. While young, when in a room alone at night, without any light, he saw phantoms all around him, and even after the lights came, he would see them in the dark corners.

In most, if not all of these cases, there was, undoubtedly, some cerebral defect, but, although hallucinations may indicate that the highest quality and condition of the brain are not present, yet they do not imply unsoundness—insanity. In fact Moreau de Tours considers them a proof in favour of his theory, that insanity and genius spring from cerebral conditions essentially alike. In some of the cases just mentioned, the defect was an insane temperament—that constitution of mind in which there is an hereditary tendency to insanity indicated by singularities of conduct, opinion, manner; in some, it was a high degree of nervous susceptibility readily inducing cerebral movements of an extraordinary character; in some, it was a casual determination of blood to the brain; and in some it was manifested by epilepsy or other nervous disorder. Luther's case furnishes no exception to the general rule, for though technically sound, it can hardly be doubted that the genius of the great reformer was of that kind which is nearly allied to insanity. The fact need not be regarded as derogating from his mental ability, for it may have fitted him all the better

for the part he was called to perform. A man of cooler passions and less intense conceptions might have written books less offensive to a refined taste, and avoided some injudicious courses, but proved unequal to the internecine war which any determined attempt at reformation was sure to provoke. In such conflicts it is not always the well-balanced minds that achieve the noblest victories. Then, it would seem as if the individual must be moved by the quicker and stronger impulses that proceed, if not from disease, yet from some abnormal condition very like it.

I have dwelt on the case of Luther, not so much because it represents a considerable class as because it indicates the line of inquiry on which all of a doubtful origin should be examined. It gives us a clew to the follies of witchcraft and to those popular delusions which prevailed epidemically in the fifteenth, sixteenth, and seventeenth centuries. Witchcraft, for instance, was a matter of popular belief. The clergy preached it, the courts punished it, and the Bible was supposed to teach it. Few doubted it, and fewer still ventured even to whisper their doubts. The first step thus accomplished, the next was not difficult. The arts of the devil and the malicious acts of his deluded followers, the compact written in blood and the hellish orgies of the witch-sabbath, the riding through the air on broomsticks, the witch marks found on the person, the potent efficacy of prayer and of the utterance of sacred names—all these were topics of conversation in the family circle and in social gatherings, exciting wonder and awe, and leaving impressions never to be effaced. With few books and no newspapers, with scarcely any interchange of ideas beyond a very limited circle, with the hardships incident to a new settlement, the habitual dread of hostile neighbours, and the gloom of the surrounding forest, all combining to exclude the joyous and hopeful aspects of life, it is just what might have been expected, that being thus early and constantly familiarized with the wondrous scenes of witchcraft, they should have become, at last, so vivid to the minds of our New England forefathers, as to assume, occasionally, the appearance of an objective reality. For this there was only needed, singly or collectively, a constitutional tendency to hysteria or insanity, an ardent imagination kindled solely by such material as witchcraft lore could furnish, and that propensity to imitation and thirst for notoriety which act so large a part in producing eccentric mental movements, especially in the female sex. Thus was the second step accomplished, and all without the occurrence of proper insanity.

Many false beliefs springing from a coarse superstition can be distinguished from genuine delusions only by a careful investigation of the individual's mental habits and associations. The difficulty of making this distinction is sometimes increased by the fact that such beliefs may have been modified and made the ground of criminal conduct by the presence of actual disease. A coloured man who once came under my charge had killed his mother in a paroxysm of insanity. When asked, after recovery,

what prompted him to commit such a horrid deed, he replied that he thought she was working some fatal spell of witchcraft upon him, and therefore he acted in self-defence. On further inquiry, however, it appeared that, following the traditions of his race, he had always believed in witchcraft, and had always suspected, if not believed, that his mother practised it. So that the belief which led him to kill his mother was not a delusion; and yet it was none the less a valid excuse for the crime, for the reason that while the belief was, ordinarily, passive and harmless, it became under the excitement of a maniacal paroxysm, an incentive to a most revolting murder.

For the most part, the true character of a false belief may be inferred from the accompanying traits and incidents. A single, independent, solitary delusion accompanied with no other deviation from the normal condition, is a rare occurrence. It is usually associated with other delusions or singularities of thought, with peculiar ways and manners, with strange and irrelevant conduct. When any of these traits are present, there needs no refinement of definition to convince us that we have to deal with a genuine delusion. And yet we are hardly ready to accept the proposition of Dr. Forbes Winslow, "that no notion of the mind, however ridiculous, fallacious, and absurd, should be admitted to be a delusion or evidence of unsound mind, unless it be obviously and unmistakably the product of a diseased intellect." No one knows better than Dr. Winslow how difficult it is frequently to show that an unquestionable delusion is the product of disease. The delusion is sometimes the sole, solitary indication of disease; and even when accompanied by other minor disturbances, it is not a very philosophical proceeding to make them the proof of the principal and prominent one. If he means to derive the evidence of disease from the quality of the act which springs from the delusion, as he may very justly, we can only say that such an inference would receive little countenance from the courts.

There is another phase of belief of great medico-legal importance, which often proves no less embarrassing than delusions. I refer to such notions as are characterized less by false belief than by singularity and extravagance to a degree that may seem incompatible with soundness of mind. No rule nor definition will enable us to distinguish such as spring from insanity, and such as are only the freaks of what is called eccentricity. The reason is, that there is really no dividing line between these two mental conditions. The latter may exist from childhood and continue for life, but we know that it is often the precursor of insanity, and no amount of skill or sagacity can determine the limits of the transition period. To avoid mistake as far as possible, we must be guided by the antecedents of the person, by an enlarged knowledge of mental disease, and especially of diversities of character, always bearing in mind what our experience of men teaches, that very strange opinions have been entertained by persons of unquestionable sanity. We are not too readily to pronounce a man in-

sane because he professes views that may be at variance with our notions of moral propriety. This mistake has been made, I think, by an eminent American jurist, Judge Redfield (On the Law of Wills, 83), in commenting on an English case (*Morgan v. Boys*). A will was contested on the ground of insanity, the proof of which was to be found in one of its dispositions, that his executors should "cause some parts of his bowels to be converted into fiddle-strings, that others should be sublimed into smelling salts, and that the remainder of his body should be vitrified into lenses for optical purposes." In a letter attached to the will, the testator said, "The world may think this to be done in a spirit of singularity or whim, but I have a mortal aversion to funeral pomp, and I wish my body to be converted into purposes useful to mankind." The Judge does not insist "that the mere absurdity and irreverence of the mode of bestowing his own body as a sacrifice to the interests of science and art, in so bold and awful a mode, was to be regarded as plenary evidence of mental aberration," but he thinks that a jury would be very likely to regard it in this light—and not unjustly—in case of an unnatural or unofficial testament. "The man who has no more respect for himself or for Christian burial, than this will indicates, has no just claim to the regard or respect of others." A broader view of the subject may lead to a different conclusion. The present mode of disposing of the body is not so strongly fixed in the instincts or custom of mankind as to prevent an occasional deviation, under the influence of some potent motive, like a devotion to science, a contempt of vulgar prejudices, a foolish but not diseased love of notoriety. Jeremy Bentham directed his body to be dissected, and accordingly it made its appearance on the table of one of the anatomical theatres of London. A distinguished surgeon of Massachusetts ordered that his skeleton should be prepared in the usual way, and placed in the museum of an institution of which he was President. A few years since an Englishman, who had lived much in the East and professed his belief in the Mahometan religion, left a will, bequeathing his property, with the exception of various legacies, to the poor of Constantinople, and also towards erecting a cenotaph in that city, inscribed with his name, and bearing a light continually burning therein. A thorough review of the habits and opinions of the testator showed that there was nothing strange or absurd in this bequest, and it was finally admitted to probate. (*Austen v. Graham*, 29 Eng. L. & Eq. 38.)

A remarkable case was recently published in the *Annales Medico-Psychologiques* for July, 1866, under the title "PARTNERSHIP WITH GOD," that is worthy of an extended notice in a paper like this, because it illustrates very strikingly the principles that should govern our judgment in this class of cases. In 1861 there died at Neufchâtel a notary, Isaac Vaugneux, 82 years old, married, but childless. He devised his property to his wife, who died four years after, and she devised it to her niece, who, when quite young, had been adopted by them. Among her uncle's papers

this niece found one sealed up, bearing this inscription, *Contrat de Société*. On examination it proved to be articles of partnership drawn up some years before his death, when about to leave his legal employments and engage in the wine and liquor trade. Nothing less than a literal copy of this document can give an adequate idea of its character.

“ARTICLES OF PARTNERSHIP between the great Sovereign God, the all-powerful and all-wise Eternal on the one part, and me, the undersigned, Isaac Vaugneux, his very vile, very miserable, and very humble servant and zealous adorer on the other, have been drawn up as follows:—

Article 1. This connection has for its object the trade in liquors.

Art. 2. My very respectable and very magnanimous associate will deign to bestow, as his share in the capital, his blessing on our enterprise, in the manner he shall judge most agreeable to his paternal views and the accomplishment of the immutable secrets of his eternal wisdom.

Art. 3. I, the undersigned, Isaac Vaugneux, engage, on my part, to turn into the above-named partnership all the capital that may be necessary; to do all the business required in the hiring of cellars; in the purchases and sales; in keeping the accounts; and, in one word, to devote my time, my labour, and my moral and physical powers, to the best good of the concern, conscientiously and in good faith.

Art. 4. The books, kept by single entry, shall exhibit every transaction; and the several balances, carried to the debit and credit side, shall be increased by interest calculated *pro rata*, up to the 31st of December of each year, when a settlement of the account shall be made.

Art. 5. The net profits shall be equally divided between my high and mighty Associate and myself.

Art. 6. A special account shall be opened with him, in which shall be passed to his credit his share of the profits, and to his debit the several sums which shall have been delivered by me, the undersigned, either to pious corporations, to the poor individually and collectively, or finally to any other pious work which the Spirit of my God shall inspire me to do.

Art. 7. When my God shall deem it good to take me from this world, the settlement of the affairs of the partnership shall be immediately intrusted to my nephew, M. Frederic Preud'homme Favarger, who is hereby requested by me to undertake this charge, after which the share of the profits coming to my great and well-beloved associate, is to be immediately delivered to the direction of the praise-worthy chamber of charity of Neuchâtel, to which I now bequeath it.

With the liveliest satisfaction in having associated my God in my labours, I commit myself for success to the wise dispensations of Providence.

Thus done, covenanted, and settled, at Neuchâtel, in my house, under my private signature and the seal of my arms, the seventeenth day of September, in the year of grace, one thousand eight hundred and forty-seven (1847.)

L. S.

Signed: I. VAUGNEUX, *Notary*.

“The great events which have occurred in my country, and the changes that have taken place since this partnership was formed, especially in respect to the persons engaged in the administration of affairs, have induced me to change the destination of that portion of the profits coming to my great and magnanimous associate; and in consequence thereof, and in conformity to the inspiration of his good Spirit, I make the following change in Article 7th:—

The net proceeds coming to my respectable associate, after settlement, if any such there be after my death, is to be remitted, not to the chamber of charity of Neuchâtel, but, on the contrary, to the pastors then in office in the parish of Neuchâtel, to be by them devoted to pious uses at their discretion, some portion to be given to evangelical missions designed to spread the knowledge of the only true God throughout the earth.

I have the confidence to believe that those gentlemen will willingly accept the charge I have assigned to them without consulting them, and that they will

enter into my views, for which I here testify, in advance, my sincere and lively gratitude.

Thus done, written and signed in my house at Neuchâtel, the twenty-fifth of March, one thousand eight hundred and fifty (1850).

Signed: I. VAUGNEUX, *Notary*.

"March 10, 1855. Our enterprise having been blessed, the share coming to my great and magnanimous associate, as it may appear on page 79 of my book (current accounts), and page 60 (account of my associate), is to be paid over, three months after my death or that of my wife, to MM., the pastors, as above named. The executor of my will, my nephew, Frederic Preud'homme, having deceased, it will be the duty of my successors to fulfil the conditions of the existing partnership, by paying over this share to MM. the pastors, if, as I expect, they should be willing to take charge of it, to be invested in the most productive manner, and the capital and income used according to their discretion under the divine inspiration."

A copy of this document was placed in the hands of one of the pastors by the writer before his death. After the widow died it was opened, and the pastors made application to the Council of State, according to the municipal law, for authority to receive the money. This was refused, for the reason, as the Council state, that the paper in question is "the act of a disordered mind." The niece, when she came in possession of the property, fulfilled the wishes of her uncle by making a gift of the money for the purposes he had indicated. This she did out of the high regard she had for him, and gratitude for care and kindness towards herself. She repels with a good deal of warmth the idea that he was insane. "Although he might have been regarded as somewhat original," she says, "yet it never entered into the thought of any one that his reason was deranged. I, who was always admitted to his closest intimacy, know that he possessed all his faculties to the last moment, and I revere his memory as that of a just and upright man." It is also stated that no trace of mental disorder could be found in any of his writings; that his books were well kept, the entries made, the interest reckoned, and the balances got as correctly as possible, all according to the articles of copartnership.

No one can help suspecting, at first glance, that the head of this worthy wine merchant was somewhat turned. The astonishing audacity with which this really religious man associates the Almighty with himself in a mere matter of trade and traffic, the coolness with which he assigns to the partners their respective duties in the concern, and the perfect confidence on the part of one who had been accustomed to legal forms and proceedings, that such a paper would have any legal effect, would certainly justify such a suspicion. But a broader view of psychological diversities of character will lead us to doubt whether the case is not one of those occupying that border land between sanity and insanity which bears the name of eccentricity, oddity. Taking into view the prominent incidents of the case, it may be satisfactorily explained without resorting to the theory of insanity.

Here was a worthy old man accustomed to see the hand of God in every

event of life, and to look to God at every turn for help and direction, about to embark in a new undertaking. Feeling that men must labour in vain without the blessing of God, and feeling it, too, not as a glittering generality, to be coldly acknowledged and then forgotten, but as a vital principle of action directing and controlling every movement, his first thought was naturally to secure that blessing for himself. Both reason and religion assured him that nothing could more effectually accomplish this object than, while working for himself, to work for the glory of God. What more acceptable service could he render than to devote a portion of his earnings to charitable and religious uses? That this purpose may not be lost sight of, that it may be ever kept before him as the sole, animating, all pervading principle of his life, he resolves to recognize and consecrate it in a form the most solemn and imperative. Thus far, surely, there is no trace of insanity. The purpose is worthy of the strongest endeavour and the purest aims, and is steadily and successfully pursued for years. The logic, too, is all correct, without fault or gap. The only thing to which exception can be possibly taken, is the form which he has chosen for the expression of his intentions and motives. This seems to savor of insanity, but it will hardly bear the test. Be it observed that it conflicts not at all with the object proposed, but rather aids and promotes it. It exhibits no trace of delusion or even irrelevance. True, the idea of forming a partnership with God is most extravagant and presumptuous, and the language used is perfectly shocking to a correct religious taste. The presumption, however, is more seeming than real. This old man, having been accustomed all his life to the use of legal forms, with a high opinion, no doubt, of their fitness for the expression of all ideas whatever, not unnaturally, though somewhat pragmatically, chooses them on this occasion. It only shows the force of habit and the narrowing tendency of a professional routine. Any other man having resolved upon accomplishing the same thing in a similar spirit, would have formally declared his intention to devote one-half the profits of the new enterprise to charitable and religious purposes, and reverently evoked the divine blessing on his labours. And he might have opened an account on his books with "Charity Fund," or something equivalent, making the same entries to debit and credit, and directing his executors to pay over the balance that might exist at his decease to some institution or trustee. The document in question exhibits a very common mark of eccentricity—that of saying or doing a very proper thing in a queer, singular manner. In insanity the mental affection as often appears in the design as in the execution. In fact, the latter may be all right while the former is all wrong. We must bear in mind, too, the effect of religious associations and of the prevailing style of religious thought and feeling. That must vary with the moral and intellectual culture, the form of faith, the customary observances, the temperament and spirit. All this must be considered before we can properly estimate the

true pathological significance of this extraordinary contract. Many a prayer and sermon may still be heard, once more frequently than now, indicating a close participation in the counsels of God, and administering advice, suggestion, and even reproof, more befitting a member of a mercantile firm to his associate than a worm of the dust addressing his Creator. In the works of English divines, two hundred years ago, may be found passages relating to the counsels of the Almighty clothed in terms of such gross familiarity that to quote them even would be enough to expose one to the charge of irreverence.

We venture upon one quotation, however, that the reader may see how conventional are all proprieties of speech on sacred subjects, and thus understand that much latitude in this respect does not necessarily imply insanity. It shows very strikingly that such things must be judged not by any arbitrary rule, but by the light of prevailing practices, modes of thought, and forms of expression. It is from Flavel, a non-conformist divine of James the Second's time, whose writings have been held in great repute, and frequently reprinted, even down to our own day. The following extracts are from a sermon setting forth the scheme of redemption, the text being Isaiah liii. 12.

"Having told God how ready and fit he was for this service, he will know of him what reward he shall have for his work, for he resolves his blood shall not be undervalued: hereupon, verse 3, the Father offers him the elect of Israel for his reward, bidding low at first (as they that made bargains use to do), and only offers him that small remnant, still intending to bid higher; but Christ will not be satisfied with these, he values his blood higher than so; therefore, in verse 4, he is brought in complaining, *I have laboured in vain and spent my strength for naught*. This is but a small reward for so great a suffering as I must undergo; my blood is much more worth than this comes to, and will be sufficient to redeem all the elect dispersed among the isles of the Gentiles, as well as the lost sheep of the house of Israel. Hereupon the Father comes up higher, and tells him he intends to reward him better than so, and therefore, verse 6, says, It is a light thing that thou shouldest be my servant, &c. * * * Here you may suppose the Father to say when engaging this bargain with Christ for you:—

"*Father*.—My Son, here is a company of poor miserable souls that have utterly undone themselves, and now lie open to my justice. * * * What shall be done for these souls?

"*Son*.—O, my Father, such is my love to and pity for them, that rather than that they shall perish eternally, I will be responsible for them as their surety: bring in all their bills that I may see what they owe thee, Lord, bring them in all that there may be no after reckoning. * * *

"*Father*.—But, my Son, if thou undertake for them, thou must reckon to pay the last mite, expect no abatements; if I spare them, I will not spare thee."

The feature in the proceeding of Vaugneux which raises the strongest suspicion of insanity is the testator's belief that such dispositions of property would be confirmed by the law. It might be supposed that a person professionally acquainted with the laws of his country would have avoided a mistake so fatal to the fulfilment of his own wishes, and provided for an object he had so near at heart, by measures strictly conformable to law. There would seem, at first thought, to be something in this, but, practically,

such mistakes are too common among lawyers to be a strong indication of mental aberration. M. Vaugneux is not the first nor the last in his profession who has drawn a will that could not be executed, or shaped it in such a manner as to frustrate the strongest wishes of the testator.

In this connection, it is proper to consider another fact that may have had some bearing on this case. The idea of forming a partnership with God did not originate with M. Vaugneux. In the fourth volume of an old collection of *Causes Célèbres*, published in Paris, in 1736, by Jean de Nully, may be found a similar case that was adjudicated in Paris, a few years before. A young Frenchman, named Duhalde, after various unsuccessful business enterprises, "resolved," as he expressed it himself, in his diary, "to form a partnership with God, promising and vowing to fulfil all the conditions, as here set forth, and engaging my heirs, whoever they may be, to execute them, in case I shall die before being able to do it myself." The business of the firm was to be trading in precious stones, and was to continue five years, from 1719 to 1724. By the conditions of the partnership, he was to furnish the funds, 15,000 livres (all he possessed), and God was to bless the enterprise. He obligated himself to form no other partnership during the five years. At the end of this period, the accounts of the firm were to be settled, and, after deducting the original capital, 15,000 livres, any dowry a wife might bring him, and any legacies he might receive, the remainder was to be equally divided between him and God. In October, 1724, when the partnership expired by limitation, Duhalde made up the books and presented an exact account of receipts and disbursements. After making the deductions just indicated, the profits were represented by three collections of precious stones, one of which was in Amsterdam, one in Madrid, and the other in Paris. The last-named he placed in a packet and marked it, "*Half for the Poor*," and at the foot of the account, he wrote the following words:—

"Cursed be my heirs, whoever they may be, if, under any possible pretext, they withhold from the Poor half of the proceeds of the sale of the stones above-named, in case I die without executing my own wishes. And if by some extraordinary chance, my fortune shall be reduced to this single amount, let it be considered as a sacred trust which is to be sacredly paid."

Duhalde died shortly after, leaving a wife and child, and the "Hôpital Général" claimed of the executors of his will the portion of stones indicated to be given to the poor. The widow, by her counsel, resisted this claim, chiefly on the score of some legal objections drawn from the provisions of the *Coutume de Paris* respecting wills, whereby the contract and its results were shown to possess no legal validity. Another objection, extra legal in its nature, was that in this arrangement there could be created no obligation on the part of God. A partnership supposes equal and reciprocal obligations. Even Duhalde himself was not obligated, for he had not signed the articles of partnership. This very objection was urged in the Vaugneux case. The fact was also stated that Duhalde was a very

singular man, with odd, strange ways; but it does not seem to have been contended that these mental peculiarities amounted to testamentary incapacity. By the counsel for the will, one of whom was the son of the celebrated Chancellor D'Aguesseau, it was contended that there was nothing in reason or Scripture to forbid the idea of a contract with God. He contributed nothing directly to the funds of the firm, but was not the testator indebted to him for the capital on which he started? Considered as a contract with God, the present case is not without precedents in the dealings of God with man. Did not the Lord make a covenant with Abram, whereby the latter, in reward for his fidelity, obtained the land of Egypt for his posterity? Did he not also make a covenant with Noah, promising never again to cut off all flesh by the waters of a flood, and to place the bow in the cloud as the eternal seal of the promise? The sacrament of baptism, too, is not that in the nature of a contract with God? Will it be said that this being a contract for spiritual purposes has no analogy to a business partnership like Duhalde's? But what was the animating spirit of the latter? Was it not the love of God and our neighbour? Was not the object of this connection a purely spiritual good? In thus renouncing his earthly goods, and associating himself with the Almighty, did not Duhalde form a more perfect union with God? The court, governed solely, it may be presumed, by the legal considerations, decided in favour of the will.

It can scarcely be doubted that Vaugneux's professional studies had made him acquainted with this old case, because the collection in which it is contained is well known to every French lawyer. It might have suggested to him the bold idea of associating himself with God, and the decision of the court would have removed any doubts respecting its legality.

In consideration of all the circumstances necessary to be considered, we can scarcely hesitate to believe that this testator can be charged with no mental defect equivalent to insanity, and was competent, of course, to devise his property as he did. Had he, on the contrary, as Dr. Chatelain, who reports the case, observes, completely disinherited his heirs, who had a moral right to rely on his bounty, then the case might have borne a different construction.

ART. VI.—*Wakefulness; Sleep; Anæsthesia.* By S. HENRY DICKSON, M. D., Professor Practice Med. in Jefferson Med. Coll., Philadelphia.

THE changeful conditions of the brain and nervous system are the most important topics doubtless of biological research. As specially familiar and interesting, healthy sleep and its opposite or contrast, morbid vigilance—insomnia—have undergone frequent inquiry and discussion.